In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.30760-M of 2007

.....

Date of decision:15.5.2007

Neeraj Duggal and another

.....Petitioners

v.

State of Punjab and others

.....Respondents

....

Present: Ms. Upasana Gupta, Advocate for the petitioners.

.....

S.S. Saron, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. for issuance of directions to respondents No.1 to 3 to provide security to the petitioners as they apprehend danger to their life from respondents No.4 and 5, who are the maternal uncle and mother respectively of petitioner No.1.

The petitioners were known to each other for the last about five years. They developed a liking for each other and decided to solemnize their marriage amongst themselves. Petitioner No.2 met the mother of petitioner No.1 and requested for the solemnization of marriage amongst the petitioners. However, he was insulted by respondent No.4, the maternal uncle of petitioner No.1 and threatened that he could not marry petitioner No.1. Despite best efforts of petitioner No.1 to persuade her mother (respondent No.5) and maternal uncle (respondent No.4), they did not agree. Ultimately, the petitioners solemnized their marriage amongst themselves on 14.3.2007 according to Arya Samaj rites and rituals in the

presence of their friends. The marriage was solemnized at Arya Samaj, Sector 22-A, Chandigarh. The photographs showing the solemnization of marriage are placed on record as Annexure-P.1. The certificate issued by Arya Samaj, Sector 22-A, Chandigarh has been placed on record as Annexure-P.2. The said marriage is not to the liking of respondents No.4 and 5 from whom the petitioners apprehend danger and have approached this Court.

After hearing learned counsel for the petitioners and perusing the record it may appropriately be noticed that the petitioners have not approached respondents No.2 and 3 setting out their grievances as have been made in the present petition. The said respondents would be in a better position to ascertain the ground realities and in the facts and circumstances of the case also provide necessary protection to the petitioners. The petitioners are stated to be major and they have solemnized their marriage of their own. Both the petitioners are present in Court and learned counsel for the petitioners, on instructions from them, has submitted that both are happily married.

In the circumstances, the petition is disposed of with the directions that in case the petitioners approach respondents No.2 and 3 setting out their grievances as have been made in the present petition the same would be looked into by the said respondents independently and in accordance with law.

May 15, 2007. **(S.S. Saron)**
Judge

hsp